

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

KATHERINE S. MASSAD,)	
)	
Plaintiff,)	
)	
vs.)	NO. CIV-04-635-T
)	
J. C. PENNEY CORPORATION, INC.,)	
a Delaware corporation,)	
)	
Defendant.)	

ORDER

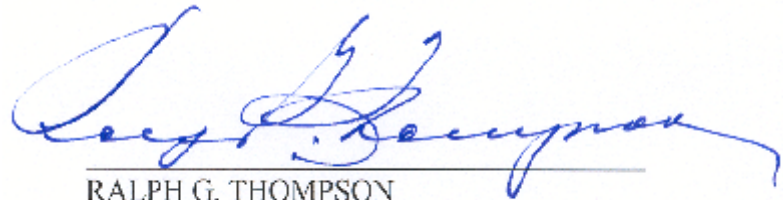
The court has received plaintiff's motion for discovery sanctions [Doc. No. 49] and defendant's response thereto. Although the serious nature of some of the allegations indicates to the court that the underlying dispute may not be capable of complete resolution through a good faith effort by the parties, the court believes that some issues addressed may be resolved through such effort. In addition, the court notes that defendant contends that at least some of the belated discovery about which plaintiff complains has now been produced. Therefore, some of the issues raised by plaintiff may no longer require court intervention.

Accordingly, the parties are directed to confer in an attempt to resolve any remaining disputes and to report the results of that effort to the court no later than June 8, 2005. In addition, plaintiff is directed to file a brief identifying any issues that have been mooted by production of discovery material since the filing of the motion and identifying the remaining issues on which court intervention is sought. Plaintiff's brief should also address defendant's contentions regarding the lack of a motion to compel or a Rule 37 conference prior to filing the motion for sanctions. Plaintiff's brief shall be filed no later than June 10, 2005.

Although the court recognizes that the serious accusations asserted by the parties may require court

resolution, the parties are directed to comply with the foregoing directions without regard to same in their efforts to resolve the disagreements that relate to discovery in this case.

IT IS SO ORDERED this 27th day of May, 2005.



RALPH G. THOMPSON
UNITED STATES DISTRICT JUDGE